



February 16, 1999

Mr. Stephen Whitworth
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

OR99-0455

Dear Mr. Whitworth:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 122029.

The City of San Antonio (the "city") received a request for "any patron and staff complaints about patrons accessing inappropriate material on public Internet terminals" at the city libraries. You seek to withhold the requested information under section 552.124 of the Government Code.

Section 552.124 makes confidential, with certain exceptions which are not applicable here, "[a] record of a library or library system, supported in whole or in part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service." You argue that *all* of the requested information must be withheld pursuant to section 552.124. In our opinion, section 552.124 requires withholding from the materials responsive to the request only the names, addresses, and other information specifically identifying library patrons. *See, e.g.,* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed). The remaining portions of the requested information must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Sincerely,

William Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref.: ID# 122029

Enclosures: Submitted documents

cc: Mr. David Burt
Filtering Facts
210 S. State Street, Suite 7
Lake Oswego, Oregon 97034
(w/o enclosures)